

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JESSICA ASHBY,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C18-1655-JCC

ORDER

This matter comes before the Court on Petitioner's motion to seal (Dkt. No. 19) her declaration in support of her reply (Dkt. No. 20). The Court starts from the position that "[t]here is a strong presumption of public access to [its] files." W.D. Wash. Local Civ. R. 5(g). To overcome this presumption, there must be a "compelling reason" for sealing sufficient to outweigh the public's interest in disclosure. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1100 (9th Cir. 2016) (applying the "compelling reason" test to motions to seal documents "more than tangentially related to the merits of a case"). Most of the facts alleged in Petitioner's declaration that she seeks to maintain under seal are disclosed in Petitioner's unsealed reply (Dkt. No. 21) and the unsealed criminal complaint underlying Petitioner's motion to vacate, *Ashby v. United States*, Case No. CR17-0111-JCC, Dkt. No. 1 (W.D. Wash. 2017). With regard to the facts contained in Petitioner's declaration that are not otherwise publicly available, these partially constitute the basis for Petitioner's underlying habeas petition, and an order limiting

1 waiver of the attorney-client privilege already prevents their further dissemination. (*See* Dkt. No.
2 10.) On this basis, the Court finds there is no compelling reason to seal Petitioner's declaration
3 that outweighs the public's interest in its disclosure.

4 For the foregoing reasons, Petitioner's motion to seal (Dkt. No. 19) is DENIED. The
5 Clerk is DIRECTED to unseal Docket Number 20.

6 DATED this 23rd day of May 2019.

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10 John C. Coughenour
11 UNITED STATES DISTRICT JUDGE
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